

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/8/08



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
JAVROD FINANCIAL CENTER  
SUITE 400  
NEW YORK, NEW YORK 10281-1022

MICHAEL D. BIRNBAUM  
WRITER'S DIRECT DIAL  
TELEPHONE: (212) 336-0333  
FACSIMILE: (212) 336-1319  
BirnbauM@sec.gov

**MEMO ENDORSED**

February 8, 2007

VIA FACSIMILE

Hon. P. Kevin Castel  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2260  
New York, NY 10007

RE: S.E.C. v. Empire Development Group, LLC et al. (07 Civ. 3896  
(PKC))

Dear Judge Castel:

We write on behalf of Plaintiff Securities and Exchange Commission and Defendant Empire Development Group, LLC to jointly request a temporary adjournment of the conference in the above-titled case currently scheduled for February 22, 2008. Pursuant to Your Honor's suggestion, the Commission staff and counsel for Empire have worked to resolve this matter through a mutually acceptable settlement. We are hopeful that a brief adjournment will allow the parties to reach such an agreement. Additional time will also allow for the completion of the sale of the Brooklyn Property at issue in this dispute. We jointly propose that the conference be rescheduled for the week of April 14, 2008.

We are available at the Court's convenience should the Court seek any additional information regarding this matter.

Respectfully,

*Liam O'Brien*  
Liam O'Brien, Esq.  
Attorney for Empire  
Development Group, LLC.

*Michael Birnbaum* / *bis*  
Michael D. Birnbaum  
Attorney  
Division of Enforcement

cc: Michael Aynorn (by mail)  
Felix Strashnov (by mail)

*Conference adjourned to April 18, 2008 at 2:15pm. SO ORDERED*  
*[Signature]*  
USDS  
2-8-08